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IN THE UNITED STATES FEDERAL COURT
FOR THE DISTRICT OF NEVADA

Patricia Harding Morrison, Pro Se

(Surviving Spouse)

Plaintiff,

vs.

Case No.: 2:14-cv-001207-

**COMPLAINT FOR NEGLIGENCE
WHEN THE PLAINTIFF DOES
NOT KNOW WHO IS
RESPONSIBLE**

"Quest et al.":

Quest Diagnostics Incorporated;

John Hiatt; Dr. Margaret Goodman;

Nevada State Athletic Commission;

Marc Ratner

Defendants

**Jurisdiction
Southern Division**

Complaint

1 I, the Plaintiff, am the surviving spouse of Tommy David Morrison former
2 Heavyweight Boxing Champion of the World. All the facts stated by me herein
3 are true, correct and complete to the best of my knowledge and understanding.
4
5 My husband Tommy Morrison became criticized, criminalized, ridiculed, and
6 banished from his career in the sport he loved and helped make popular, after
7 he was persuaded to accept a "diagnosis" that his blood was "harboring the
8 Virus- HIV," that his blood was "contagious in and out of the ring with the Virus-
9 HIV," and that his blood was "infected with the Virus-HIV" on February 10, 1996
10 in Las Vegas, Nevada.
11
12

13 Tommy Morrison passed away on September 1, 2013 after suffering 21
14 months of septic shock from a hospital acquired blood infection due to 12 feet
15 of infected surgical gauze having been left in his chest following a surgery for
16 an insect bite (tick/spider).
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19 Prior to his death no viral particles resembling "HIV" and "no abnormalities"
20 were found in the blood of Tommy Morrison. The blood autopsy that was
21 performed found "no viral particles" resembling "HIV", and no "budding
22 retroviruses" (HIV) and his death certificate confirmed the presence of no AIDS
23 defining diseases.
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1 My complaint to all the defendants mentioned is **“whom or which**
2 **corporation/commission”** is assuming all responsibilities for the false,
3 misleading untruth and actions and practices within the medical and boxing
4 establishments that made a “diagnosis” on my husband’s blood as “harboring
5 the Virus-HIV and being deathly contagious in the ring with the Virus-HIV” in
6 Las Vegas, Nevada in February of 1996 and with continued “media” reporting
7 to this day by several of the defendants mentioned collectively as **Quest**.
8
9 My due diligence and discovery began on December 21, 2013 upon receipt of
10 an email from the “actual 1996” attending physician in Las Vegas that
11 confirmed he never diagnosed Tommy Morrison as harboring the Virus-HIV
12 and never diagnosed him as being “infected with the Virus-HIV”.
13
14 The following complaints are noted below. Each requires a response from the
15 individual defendant to establish the negligent party/parties that “diagnosed”
16 Tommy Morrison on February 10, 1996 with the Virus-HIV.
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22 **Plain Statement of Facts**

23 Complaints not rebutted, within twenty one (21) days from next day of service
24 of Summons and Complaint, becomes the judgment in favor of my complaint
25 and relief.
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1 ALL the defendants listed on page 1. (one) are hereafter referred to as "Quest
2 et al." and collectively now known as **"Quest" below:**

- 3
4 1. **Quest** "diagnosed" and alleged blood sample of Tommy Morrison as
5 "harboring the Virus-HIV".
- 6
7 2. **Quest** – "Quest Diagnostics Incorporated" negligently "diagnosed" my
8 husband's blood, Tommy Morrison, as harboring the Virus-HIV and went
9 directly to the Nevada State Athletic Commission with its "diagnosis".
- 10
11 3. **Quest** – "Nevada State Athletic Commission" and "Marc Ratner"
12 negligently "diagnosed" my husband's blood with the Virus-HIV, and then
13 proceeded to Morrison's "Promoter", with their "diagnosis".
- 14
15 4. **Quest** – "Dr. Margaret Goodman" and "John Hiatt" improperly
16 "diagnosed" my husband's blood with the Virus-HIV and shared with the
17 "media" their "diagnosis".
- 18
19 5. **Quest** refused to answer the following question: **"Is the use of your**
20 **laboratory print out allowed by Law, and endorsed by Quest**
21 **Diagnostic Corporation and your laboratories, for a person or**
22 **entity, without a license to practice medicine, to hold your**
23 **corporation accountable for a "diagnosis of the Virus-HIV" and**
24 **"HIV infection"?**

1 **6. Quest** failed to answer this question: “**Are you allowing the Nevada**
2 **State Athletic Commission to hold your Quest Diagnostics**
3 **Corporation Lab printouts/reports as a confirmation of a**
4 **“diagnosis” of the presence or absence of the Virus-HIV and HIV**
5 **infection”?**
6

7
8 **7. Quest** violated and continues to violate the regulations by insisting their
9 employees are licensed to “diagnose” the Virus-HIV in blood tests
10 performed on my husband Tommy Morrison.
11

12 **8. Quest** violated and continues to violate the rules by asserting to
13 physicians, patients, Tommy Morrison, the boxing commission, media
14 and his fans worldwide that their “laboratory reports,” by themselves and
15 “on their own” without “other necessary clinical information” were and are
16 a “diagnosis” of the Virus-HIV in my husband Tommy Morrison.
17

18
19 **9. Quest** allowed and continues to allow a Quest employee, John Hiatt, the
20 Nevada State Athletic Commission, Dr. Margaret Goodman and the
21 media to deliver a groundless “medical diagnosis” that had effectively
22 disqualified Morrison from the first of a \$10+million contract, this
23 destroying his comeback, disrupting his life and tarnishing his legacy and
24 the private lives of his wife and family.
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- 1 10. **Quest** violated the test kit manufacturers' warning and
2 incorporated its own laboratory rules and regulations and test kit and
3 laboratory disclaimers when putatively "diagnosing" Tommy Morrison
4 with the Virus-HIV.
5
- 6 11. **Quest** "lab reports" excluded and ignored the disclaimers of the
7 test kit companies and their own "Quest laboratory disclaimers" to the
8 physicians, the patient Tommy Morrison, the Nevada State Athletic
9 Commission and the media and his boxing fans and continues to do
10 so today.
11
- 12 12. **Quest** entered and continues to enter into agreements with the
13 boxing commissions and using its employee John Hiatt, to provide and
14 retrieve "original or certified or archived copies" of Tommy Morrison's
15 1996 test reports as "confirmation of their diagnosis" of the Virus-HIV".
16
- 17 13. **Quest** allowed and continues to allow Dr. Margaret Goodman,
18 to casually make assertions in the media and social media. She claims
19 the Quest "laboratory report," was made available to her in 2007 at her
20 request, despite the fact that she was a physician with no authority to
21 care for Tommy Morrison. Despite this absence, Goodman continues to
22 claim this was confirming a "diagnosis" of the Virus-HIV in the blood of
23 Tommy Morrison.
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- 1 14. **Quest** misrepresented themselves as being physicians capable of
2 “diagnosing” Tommy Morrison as harboring the Virus-HIV.
3
- 4 15. **Quest** violated all rules of patient-doctor privacy.
- 5 16. **Quest** purchased, promoted and administered test kits from
6 companies that contained package “inserts”, that were not provided to
7 the attending physician or to Tommy Morrison. The test kit companies
8 used by Quest, by their own admission, acknowledge that their tests
9 cannot diagnose the presence or absence of the Virus-HIV in the human
10 sera.
11
- 12 17. **Quest** made direct contacts through its employee John Hiatt to
13 discuss personal health information and tender their own “patient-
14 specific-diagnosis” on Morrison.
15
- 16 18. **Quest** disingenuously informed Dr. Margaret Goodman, upon her
17 request for documentation and information, that the “lab report” they
18 produced belonging to Tommy Morrison and its results, were “ironclad
19 and unequivocal” and persuaded the boxing profession to believe their
20 “Quest diagnosis” showed that Tommy Morrison harbored the deadly
21 Virus-HIV.
22
- 23 19. **Quest** provided no completed clinical pre-fight examination on
24 Tommy Morrison to support their “Quest Lab Diagnosis” of the Virus-HIV.
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1 20. **Quest** provided no list of “symptoms” or “AIDS defining conditions”
2 of the disease that they allegedly “diagnosed” in the blood of Tommy
3 Morrison, as being the Virus-HIV.
4

5 21. **Quest** received no written consent from Tommy Morrison or from
6 the attending physician, Dr. Robert Voy, to disclose to the boxing
7 commission, John Hiatt, Dr. Goodman, or the media any personal health
8 information about Morrison.
9

10 22. **Quest** allowed and continues to allow Quests’ name to be used in
11 printed matter and social media by journalists to vilify, accuse, harm and
12 defame the credibility of Morrison’s character, legacy and medical status
13 to the public, his fans, and his family.
14

15 23. **Quest** ignored and overruled the fact that Tommy Morrison’s
16 attending physician, Dr. Robert Voy, did **not diagnose** his patient as
17 harboring the Virus-HIV. In fact, Dr. Voy admitted that he “deemed him
18 physically fit and healthy to box in the state of Nevada in 1996”.
19

20 24. **Quest** uses its laboratory licensing to practice “patient-specific”
21 medicine when it “allegedly diagnosed” my husband Tommy Morrison
22 with the Virus-HIV.
23

24 25. **Quest** allowed and continues to allow its employee John Hiatt,
25 PhD, to be considered and portrayed in the media as a pathologist and
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1 personal attending physician of Tommy Morrison in 1996. Hiatt is neither
2 a licensed pathologist nor is he licensed to practice medicine in the state
3 of Nevada. Hiatt is therefore prohibited by Nevada law from diagnosing
4 my husband Tommy Morrison or anyone else for that matter.
5

6
7 26. **Quest** reports “numbers” but fails to support their “laboratory
8 equations” with actual clinical findings. Quest has no record of any of my
9 husband’s “medications” and never met or examined him.
10

11 27. **Quest** did **not** provide a licensed laboratory report that was
12 supported by digital images of the Virus-HIV in Tommy Morrison.
13

14 28. **Quest** failed to provide a licensed laboratory report that stated
15 clearly in writing that “viral particles” and “budding retroviruses” were
16 ever found in the blood of Tommy Morrison.
17

18 29. **Quest** and its employees such as John Hiatt practiced medicine
19 without a license on my husband Tommy Morrison.
20

21 30. **Quest** reported to the Department of Health and Human Services
22 a “diagnosis” of the Virus-HIV in Tommy Morrison without the requisite
23 proof from the test kit manufacturers and without permission from the
24 attending physician, Dr. Robert Voy and with Morrison noted as aged 99
25 years of age on the “laboratory report”.
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- 1 **31. Quest** reported and continues to make public to the Nevada State
2 Athletic Commission, that Quest Diagnostic Inc. Lab print-outs/reports
3 with the wording “negative/indeterminate/positive” constitute an ironclad
4 “diagnosis” of the presence or absence of the Virus-HIV in a boxer.
5
6 **32. Quest** fails to make available to the ordering physician or his
7 patient, Tommy Morrison any testing instruments other than the
8 Abbott/Roche/Westernblot to determine the presence or absence of the
9 Virus-HIV in the blood of Tommy Morrison.
10
11 **33. Quest** was not part of the “pre-fight clinical examination” completed
12 and executed by the attending physician in order to confirm the
13 “diagnosis” of the Virus-HIV in Tommy Morrison or any boxer.
14
15 **34. Quest** did not supply and continues not to supply scientific, clinical,
16 or research data to the physicians, patients, or Tommy Morrison
17 regarding the accuracy of their testing protocols for the Virus-HIV.
18
19 **35. Quest** coerced the attending, ordering physicians and patients
20 such as my husband Tommy Morrison and the Nevada State Athletic
21 Commission into believing that because they are duly licensed and
22 professionally certified as “laboratories” that the doctors and patients and
23 boxing commissions should accept the Quest Lab print-outs and the
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Quest Lab “tests” as a “positive and unequivocal diagnosis” of the Virus-HIV.

36. Quest performed a test from Abbott Laboratories on my husband that carries the following disclaimer: ***“At present there is no recognized standard for establishing the presence or absence of HIV-1 antibody in human blood.”*** Therefore Quest negligently reported that it made an accurate “diagnosis” of the Virus-HIV in Tommy Morrison.

37. Quest performed another test, this one from Roche Diagnostics on my husband. This test also carries a similar disclaimer: ***“The Amplicor HIV-1 Monitor test, is not intended to be used as a screening test for HIV or as a diagnostic test to confirm the presence of HIV infection.”*** Therefore, Quest negligently reported another diagnosis of the Virus-HIV, in Tommy Morrison.

38. Quest performed yet another test, Westernblot test/Epitope, Inc/Maxim Biotech Inc on my husband that carries the following disclaimer: ***“Do not use this test as the sole basis of diagnosis of HIV-1 infection”.*** Therefore, Quest negligently reported a “diagnosis” of the Virus-HIV on Tommy Morrison but never provided any additional “medical information” together with a test that specifies ***“do not use this test as a SOLE BASIS of diagnosis of HIV-1 infection.”***

1 **39. Quest** does not make available the test kit manufacturers
2 disclaimers to the attending physician, Tommy Morrison, Nevada State
3 Athletic Commission, and the family and fans of Tommy Morrison.

4
5 **40. Quest** used false and invalid testing on Tommy Morrison to
6 negligently “diagnose” his blood with a Virus-HIV.

7
8 **41. Definition:** “Attending Physician” refers to a person who is licensed
9 to practice medicine and to diagnose clinical illness. Defendants Quest/
10 Dr. Margaret Goodman/Nevada State Athletic Commission/Marc
11 Ratner/John Hiatt were never licensed to practice medicine or to
12 diagnose Morrison because they were either not qualified to do so or
13 were never his attending physician.
14

15
16 **42. Definition:** “HIV infection” means the presence of the VIRUS-HIV in
17 the blood of the human body. No valid test administered to Tommy
18 Morrison by Quest Labs has ever been confirmed as a diagnosis of the
19 Virus-HIV by the test kits themselves.
20

21
22 **43. Definition:** “Laboratory confirmation of HIV infection” can only be
23 confirmed if QUEST DIAGNOSTICS INC, LAS VEGAS answers the
24 initial questions posed as #5 and #6 on page 4 and 5 of this complaint.
25 To date they and **Quest** have failed to do so.
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1 **44. Quest** reported to the Department of Health and Human Services
2 a “diagnosis” of the Virus-HIV in the blood of Tommy Morrison without
3 the following identifying information: a) name of attending physician; b)
4 date of his birth; c) county of residence; d) no written consent from
5 Tommy Morrison and e) no valid testing for the Virus-HIV.
6

7
8 **45. Quest** failed to provide HIPAA completed forms signed by either
9 my husband Tommy Morrison or by myself Patricia Harding Morrison that
10 authorized the release of Personal Health Information between 1996 and
11 2014 to anyone, including the boxing commissions in other states or
12 elsewhere in the world.
13

14
15 **46. Quest** disclosed Personal Health Information about Tommy
16 Morrison to unlicensed medical entities/individuals such as the Nevada
17 State Athletic Commission and Marc Ratner “Executive Director,” of the
18 Nevada State Athletic Commission and allowed for medically unlicensed
19 entities/individuals to deliver a “Quest Labs diagnosis of a Virus-HIV” to
20 Tommy Morrison’s “fight promoter” and not to the attending physician or
21 to the patient/boxer Tommy Morrison.
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25 **47. Quest** caused the cancellation of a multimillion dollar fight and
26 ignited a media frenzy based on Quest Labs purchasing and
27
28

1 administering of tests that cannot detect the presence or the absence of
2 the Virus-HIV.

3
4 48. **Quest** is not the attending physician, nor using valid testing, nor
5 printing/reading from a valid "diagnostic" laboratory report in order for
6 them to have "diagnosed" Tommy Morrison with the Virus- HIV in 1996.

7
8 49. **Quest** failed to provide Tommy Morrison and myself with a
9 minimum of 80 other testing procedures on the many other ailments
10 known to cause "reactions" to tests that Quest administered.

11
12 50. **Quest** never draw "additional blood" from Tommy Morrison in order
13 to do additional further tests, yet still came to a conclusive "Quest
14 diagnosis" of the Virus-HIV in the blood of Tommy Morrison.

15
16 51. **Quest** laboratory reports are supplied to the Social Security offices
17 as proof of a "diagnosis of the Virus-HIV." Therefore, Quest laboratory
18 has the "burden of proof" of Tommy Morrison "harboring the Virus-HIV."
19

20
21
22 **In conclusion therefore, WHO was it in Las Vegas, Nevada, just prior to a**
23 **professional boxing match that "diagnosed" the blood of Tommy**
24 **Morrison as "harboring the Virus-HIV and being contagious in the Ring?"**
25

1 **Was it Quest Diagnostic Laboratory and its tests and laboratory report?**

2 **Was it the Nevada State Athletic Commission and their mandatory tests**
3 **and the laboratory report?**
4

5 **Or was it Marc Ratner of the Nevada State Athletic Commission?**

6 **Or was it John Hiatt/Quest Labs and the tests and laboratory report?**
7

8 **Or was it Dr. Margaret Goodman and her laboratory report?**
9

10 **Relief**

11 As the surviving spouse of Tommy David Morrison, I plead that the court
12 grants me the entitled relief to exonerate my husband and to turn evil in to
13 good and for the Las Vegas medical and boxing establishments to follow the
14 path of truthful science and not sweet science.
15

16 The Relief I seek are the following:
17

- 18 a. A Public Apology to my husband's fans worldwide in the form of a Press
19 Conference and Press Release for the negligent "diagnosis" of HIV.
20
- 21 b. A Personal Letter of Apology by the negligent defendants to all my
22 husband's family members including his children who must bear the
23 insults all their lives.
24
- 25 c. Loss of income plus interest since 1996 of the \$10+million contract , to
26 be paid by EACH of the defendants found negligent.
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- d. Loss of income plus interest to the Promoter-Trainer-Manager since 1996 to be paid by each of the defendants found negligent.
- e. \$10 million to each of Tommy Morrison's biological and step-children and their mothers for the humiliation and discrimination they continue to receive due to social media and print articles generated by Dr. Margaret Goodman.
- f. A Public Apology by and from Dr. Margaret Goodman for any medical negligence as determined by the Court.
- g. A Public Apology from John Hiatt, PhD. for any negligence as determined by the Court.
- h. Nevada State Athletic Commission Rules of boxing licensure to be changed to rule out "original and certified copies of Laboratory reports".
- i. Nevada State Athletic Commission to issue a Public Apology for negligence as determined by the Court.
- j. Quest Diagnostics Inc. Las Vegas to provide to all the physicians in the State of Nevada with a copy of their disclosure that their Laboratory reports are not to be used as a confirmation of a "diagnosis" of the Virus-HIV.
- k. Quest Diagnostic Inc. to cease from purchasing and using the following tests on boxers: Abbott-Elisa test ; Maxim/Biochemical Westernblot Test;

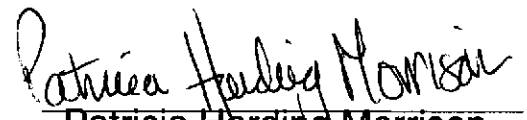
1 Roche Diagnostics-PCR/Viral Test until "original or certified copies" of
2 Clinical Trial Testing have been provided to Patricia Harding Morrison for
3 these above mentioned "tests" to confirm directly from the Test Kit
4 manufacturer themselves in writing that their "HIV tests" are proof **on**
5 **their own** to confirm the actual presence or absence of the VIRUS-HIV
6
7 "without any clinical symptoms" or "subjective interpretation".
8

9 I. Any additional costs, expert witnesses, travel and fees incurred for filing
10 a Pro Se Lawsuit.
11

12 m. Any additional "relief" as may be suggested by a future "local attorney
13 admission".
14

15 n. Re-imbursement of all monies received by Tommy Morrison in Social
16 Security must be reimbursed directly to the Social Security
17 Administration by the negligent party/parties.
18
19
20

21 DATED: July 22, 2014
22

23 
24 Patricia Harding Morrison
25 In Pro Se
26
27
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